

LISTING OF THE CLAIMS

The following is a listing of the claims in the application:

Listing of Claims

Claim 1 (Canceled).

2. (Previously Presented) The method of claim 5, further comprising the step of:

sealing said top of pie dough to the bottom of said pie shell, thereby
sealing said pie filled with frozen fruit.

3. (Previously Presented) The method according to claim 2, wherein said method further includes the steps of:

conveying said pie filled with frozen fruit through a freezer; and
conveying said pie filled with frozen fruit to a packaging area and
packaging said pie filled with frozen fruit.

Claim 4 (Canceled).

5. (Previously Presented) A method for manufacturing a pie filled with frozen fruit, said method comprising the steps of:

mixing ingredients to create pie dough;
forming a portion of said pie dough into a pie shell;
adding individually quickly frozen ("IQF") fruit into said pie shell;
depositing a suspension compound over said IQF fruit in said pie shell
wherein in an initial state, said suspension compound generally forms a discrete layer, and
wherein said suspension compound comprises:

a range of about 38% to about 88% liquid sweetener;
a range of about 5% to about 55% dry sweetener;
a range of about 4% to about 15% food starch; and
a range of about 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension layer, IQF fruit and pie shell to complete the frozen fruit filled pie product assembly, wherein said IQF fruit remains frozen throughout the manufacturing process;

transporting the frozen fruit filled pie product in an initial frozen state; and

baking the frozen fruit filled pie product, wherein the suspension layer in the initial frozen state exhibits a reduction of viscosity when exposed to heat causing the suspension layer to disperse around the IQF fruit, and wherein the suspension exhibits an increase of viscosity when exposed to temperatures above 120° Fahrenheit, such that in a baked state, the suspension layer and the IQF fruit migrate together to form an IQF fruit suspension.

6. (Previously Presented) The method according to claim 5, wherein said suspension further comprises:

a range of about 0% to about 8% oily material;

a range of about 0% to about 4% flavorants; and

a range of about 0% to about 3% minor ingredients chosen from the group consisting of : processing aids, preservatives, and colors.

7. (Previously Presented) The method according to claim 5, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.

8. (Previously Presented) The method according to claim 5, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

9. (Previously Presented) The method according to claim 5, wherein manufacturing said suspension includes the steps of:

metering the liquid sweetener into a mixing vessel;

blending the dry ingredients; and

adding said dry ingredients to said liquid sweetener while mixing.

10. (Original) The method according to claim 9, further including the step of:
continuing mixing until said dry ingredients are uniformly distributed into
said liquid sweetener.

11. (Previously Presented) The method according to claim 5, wherein said IQF
fruit remains frozen throughout the manufacturing process and is not thawed until the end user
bakes the pie filled with frozen fruit.

12. (Previously Presented) The method according to claim 5, wherein
depositing the suspension over the IQF fruit prior to baking creates a glossy smooth appearance
upon the finished frozen fruit pie filling.

Claims 13-14 (Canceled).

15. (Previously Presented) The method according to claim 5, wherein the use
of said suspension creates a stable suspension of the suspension and the IQF fruit.

Claim 16 (Canceled).

17. (Previously Presented) The pie filled with frozen fruit according to claim
20, wherein said process further includes sealing said top sheet of pie dough to the bottom of said
pie shell, thereby sealing said pie filled with frozen fruit.

18. (Previously Presented) The pie filled with frozen fruit according to claim
17, wherein said process further includes:
conveying said pie filled with frozen fruit through a freezer; and
conveying said frozen fruit pie to a packaging area and packaging said
pie filled with frozen fruit.

Claim 19 (Canceled).

20. (Previously Presented) A pie filled with frozen fruit, said pie filled with frozen fruit manufactured by the process of:

- mixing ingredients to create pie dough;
- forming a portion of said pie dough into a pie shell;
- adding individually quickly frozen ("IQF") fruit into said pie shell, wherein said IQF fruit remains frozen throughout the manufacturing process;

depositing a suspension over said IQF fruit in said pie shell, wherein said suspension in an initial state, generally forms a discrete layer, and wherein said suspension comprises:

- a range of about 38% to about 88 % liquid sweetener;
- a range of about 5% to about 55% dry sweetener;
- a range of about 4% to about 15% food starch; and
- a range of about 0.01% to about 5% food gum; and

applying a top sheet of pie dough over said suspension, IQF fruit pie shell to complete the frozen fruit filled pie product assembly;

transporting the frozen fruit filled pie product in an initial frozen state; and

baking the frozen fruit filled pie product, wherein the suspension layer in the initial frozen state exhibits a reduction of viscosity when exposed to heat allowing the suspension layer to disperse around the IQF fruit, and wherein the suspension exhibits an increase of viscosity when exposed to temperatures above 120° Fahrenheit, such that in a baked state, the suspension layer and the IQF fruit migrate together to form an IQF fruit suspension.

21. (Previously Presented) The pie filled with frozen fruit according to claim 20, wherein said suspension further includes:

- a range of about 0% to about 8% oily material;
- a range of about 0% to about 4% flavorants; and
- a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors.

22. (Previously Presented) The pie filled with frozen fruit according to claim 20, wherein said liquid sweetener is chosen from the group consisting of: high fructose corn syrup, corn syrup, invert syrup, and saturated saccharide solution.

23. (Previously Presented) The pie filled with frozen fruit according to claim 20, wherein said food gum is chosen from the group consisting of: alginate, carrageenan, locust bean gum, guar gum, xanthan gum, and gellan gum.

24. (Previously Presented) The pie filled with frozen fruit according to claim 20, wherein manufacturing said suspension includes the steps of :

metering liquid sweetener into a mixing vessel;
blending the dry ingredients; and
adding said dry ingredients to said liquid sweetener while mixing.

25. (Previously Presented) The pie filled with frozen fruit according to claim 24, wherein the manufacturing of said suspension, includes the step of:

continuing mixing until said dry ingredients are uniformly distributed into
said liquid sweetener.

26. (Previously Presented) The pie filled with frozen fruit according to claim 20, wherein depositing the suspension over the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit.

Claims 27-35 (Canceled).

36. (Previously Presented) The method according to claim 39, further comprising the steps of:

sealing said top sheet of pie dough to the bottom of said pie shell, thereby
sealing said pie filled with frozen fruit; and
freezing said pie filled with frozen fruit.

37. (Previously Presented) The method according to claim 39, wherein manufacturing said suspension includes the steps of:

- metering liquid sweetener into a mixing vessel;
- blending the dry ingredients; and
- adding said dry ingredients to said liquid sweetener while mixing.

38. (Previously Presented) The method according to claim 37, wherein manufacturing said suspension further includes the steps of:

- continuing execution of said mixing and dry ingredient adding steps until said dry ingredients are uniformly distributed into said liquid sweetener.

39. (Previously Presented) A method for suspending frozen fruit in a pie filled with frozen fruit having ingredients of various specific gravities, said method comprising the steps of:

- mixing a first set of ingredients to form a suspension, said suspension comprised of:
 - a range of about 38% to about 88% liquid sweetener;
 - a range of about 5% to about 55% dry sweetener;
 - a range of about 4% to about 15% food starch; and
 - a range of about 0.01% to about 5.0% food gum;
- mixing a second set of ingredients to create pie dough;
- forming a portion of said pie dough into a pie shell;
- adding individually quickly frozen ("IQF") fruit into said pie shell;
- adding said suspension over said IQF fruit in said pie shell, wherein in an initial state, said suspension generally forms a discrete layer; and
- applying a top sheet of pie dough over said suspension layer, IQF fruit and pie shell to complete the frozen fruit filled pie product assembly, wherein said IQF fruit remains frozen throughout the manufacturing process;
- transporting the frozen fruit filled pie product in an initial frozen state; and
- baking the frozen fruit filled pie product, wherein the suspension layer in the initial frozen state exhibits a reduction of viscosity when exposed to heat allowing the suspension

layer to disperse among the IQF fruit, and wherein the suspension exhibits an increase of viscosity when exposed to temperatures above 120° Fahrenheit, such that in a baked state, the suspension layer and the IQF fruit migrate together to form an IQF fruit suspension.

40. (Previously Presented) The method according to a claim 39, wherein the suspension further includes:

a range of about 0% to about 8% oily material;
a range of about 0% to about 4% flavorants; and
a range of about 0% to about 3% minor ingredients chosen from the group consisting of: processing aids, preservatives, and colors.

41. (Previously Presented) The method according to claim 39, wherein IQF fruit remains frozen throughout the manufacturing process.

42. (Previously Presented) The method according to claim 39, wherein depositing the suspension over the IQF fruit prior to baking creates a glossy smooth appearance upon the finished filling of the pie filled with frozen fruit.

Claims 43-44 (Canceled).